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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/692,986	10/20/2000	Arturo A. Rodriguez	A-6691	8083

7590

06/23/2004

Scientific-Atlanta Inc
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EXAMINER

NAJJAR, SALEH

ART UNIT

PAPER NUMBER

2157

DATE MAILED: 06/23/2004

8

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/692,986

Applicant(s)

RODRIGUEZ ET AL.

Examiner

Saleh Najjar

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 October 2000.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-68 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-68 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

1. This action is responsive to the application filed October 19, 2000. Claims 1-68 are pending. Claims 1-68 represent method system and product for video on demand catalog viewing preference system.

2. Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U. S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371 (c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-48, 53-56, 58-62, and 66-68 are rejected under 35 U.S.C. 102(e) as being anticipated by Ellis et al., U.S. Patent No. 6,732,367 .

Ellis teaches the invention as claimed including an interactive television program guide system with title and description blocking (see abstract).

As to claim 1, Ellis teaches a method for providing media information to a user via an interactive media services client device coupled to a programmable television services server device, said method comprising:

Receiving user input identifying a media title and requesting that said media title be removed from a media title list; and deleting said media title from said media title list (see figs. 1-6; col. 6-8, Ellis discloses that a user can block certain media title from the program guide).

As to claim 2, Ellis teaches the method of claim 1 above wherein the user input is transmitted via a remote control device (see col. 6-8).

As to claim 3, Ellis teaches the method of claim 1 above, wherein the media title identified by said user is highlighted (see col. 8, lines 55-65).

As to claim 4, Ellis teaches the method of claim 1 above, wherein the media title identified by said user input is a video-on-demand media title (see col. 6-8).

As to claim 5, Ellis teaches the method of claim 1 above, wherein said media title list is displayed via a television (see col. 6-8).

As to claim 6, Ellis teaches the method of claim 1 above, further comprising restoring said media title to said media title list (see col. 10-11).

As to claim 7, Ellis teaches the method of claim 1 above further comprising providing the user with a list of deleted media titles (see col. 8, lines 15-25).

As to claim 8, Ellis teaches the method of claim 1 above further comprising storing information in client device memory identifying said media title as a deleted media title (see col. 6-8).

As to claim 9, Ellis teaches the method of claim 1 above, further comprising excluding said media title from a media title list that is presented to the user at a future time (see col. 6-11).

Claims 10-19 do not teach or define any new limitations above claims 1-9 and therefore are rejected for similar reasons.

As to claim 20, Ellis teaches a method for providing media information to a user via an interactive media services client device coupled to a programmable television services server device, said method comprising:

Receiving user input identifying a filtering criterion; and excluding a media title from said media title list (see figs. 1-6; col. 7-8, Ellis discloses that a user can block certain media title from the program guide according to certain filtering criteria).

Claims 21-26 do not teach or define any new limitations above claims 1-20 and therefore are rejected for similar reasons.

As to claim 27, Ellis teaches the method of claim 20 above, wherein said filtering criterion is selected from a group consisting of a movie classification (see col. 6-8).

Claims 28-48 do not teach or define any new limitations above claims 1-27 and therefore are rejected for similar reasons.

As to claim 53, Ellis teaches the method of claim 45 above, further comprising receiving user input identifying a second filtering criterion; and excluding a media title that does not meet said second filtering criterion from said media title list (see col. 5-11).

Claims 54-56, 58-62, and 66-68 do not teach or define any new limitations above claims 1-48, 53 and therefore are rejected for similar reasons.

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 49-52, 57, and 63-65 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellis in view of "Official Notice".

Ellis teaches the invention substantially as claimed including an interactive television program guide system with title and description blocking (see abstract).

As to claims 49-52, Ellis teaches the method of claim 45 above.

Ellis fails to teach the limitation wherein said filtering criterion is a text-based string entered by said user.

However, "Official Notice" is taken that the concept and advantages of entering text string by a user for specifying filtering criterion is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ellis by specifying text string input by user for indicating the filtering criterion. One would be motivated to do so to provide an input that is understood by the user.

As to claim 57, Ellis teaches the system of claim 55 above.

Ellis fails to teach the limitation of prompting the user if the deletion of media title is permanent or temporary. Ellis does teach that the deletion of media titles can be reversed by entering a parent code (see col. 6-11).

However, "Official Notice" is taken that the concept and advantages of prompting a user for temporary or permanent deletion of media titles is old and well known in the art. It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Ellis by prompting the user if the deletion of media titles is permanent or temporary for providing a simple user interface.

Claims 63-65 do not teach or define any new limitations above claims 49-52 and therefore are rejected for similar reasons.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saleh Najjar whose telephone number is (703) 308-7613. The examiner can normally be reached on Monday-Friday from 6:30 to 3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, *Ario Etienne*, can be reached on (703) 308-7562.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600. The central official fax number for the group is (703) 872-9306.



Saleh Najjar

Primary Examiner / Art Unit 2157